



## **Enlisted Administrative Separations**

This information paper provides general information regarding the administrative separation process for Soldiers who are being considered for involuntary separation from the US Army (also called a “chapter”).

### CHAPTERS

Enlisted administrative separations are usually referred to as “chapters” because each separation is done under a certain chapter in AR 635-200 (Enlisted Administrative Separations). The following chapters are involuntary separations. This list is not all-inclusive, but covers the great majority of chapters that commands initiate.

5-8	Involuntary separation due to parenthood
5-13	Separation because of personality disorder
5-17	Other designated physical or mental conditions
9	Alcohol or Other Drug Abuse Rehabilitation Failure
13	Unsatisfactory performance
14-5	Conviction by a Civil Court
14-9	Conviction by a Foreign Tribunal
14-12a	Minor Disciplinary Infractions
14-12b	A Pattern of Misconduct
14-12c	Commission of a Serious Offense
14-12c(2)	Misconduct – Abuse of Illegal Drugs
18	Failure to Meet Weight Control Standards

### RIGHTS

You have the following rights in administrative separation proceedings:

1. To consult with a military attorney within a reasonable time, or civilian counsel at your own expense.
2. A hearing before an administrative board if you have over six years of service or if your command is recommending a discharge under other than honorable conditions.
3. To submit statements on your own behalf. You can submit a statement explaining why you should not be discharged or why you should receive a higher level of discharge. You can also include statements from your supervisors and co-workers.

You should respond to all of the negative items in your packet. A TDS counsel can assist you in drafting a statement for your chapter.

4. You can waive all of the above rights in writing. Failure to respond to your command within the seven days (i.e. by not signing the form) means that you automatically waive or give up your rights.

### CHARACTERIZATION OF SERVICE

If separated, you could receive one of three types of discharges (depending on your type of chapter): Honorable; General (Under Honorable Conditions), also called a General discharge; or Under Other than Honorable, also called an "OTH" discharge. An Honorable discharge is the best discharge you can receive. A General discharge is the second-best discharge that could be given. It is still considered "good paper" even though it is not as beneficial as an Honorable. An OTH discharge will deprive you of most of the benefits you could receive from an Honorable discharge and may cause you substantial prejudice in civilian life. Generally, an OTH is only possible under chapters 10 (a voluntary request for discharge in lieu of court-martial) and 14. You have the right to have your case heard before a board if being recommended for an OTH under a chapter 14.

### BENEFITS AFTER SEPARATION

The benefits available to you under the different types of discharges are listed on the Benefits at Separation chart available at your TDS office or on the PACRIM TDS website, or at your local TDS office. Note that with a General discharge, you keep most of the pay entitlements or VA benefits that you might have accrued thus far. For example, you can still cash in your accrued leave. However, you do lose any GI Bill contributions and any civil service retirement credit (that is, credit toward a federal civil service retirement for your active duty military time) to which you would otherwise be entitled. You will lose your entitlement to the GI Bill unless you have completed one enlistment and were discharged with an Honorable discharge (as is the case when you reenlist).

The Department of Veteran's Affairs determines what your benefits will actually be, not the US Army.

### SEPARATION AUTHORITY

The Separation Authority (your Battalion Commander, Brigade Commander, or the Commanding General, depending on your type of chapter and the recommended discharge) decides if you will be separated and, if so, what type of discharge will be issued.

### SEPARATION BOARDS

If you have more than six years of active and reserve military service or if you are being considered for an OTH, you may elect to have your case heard before an administrative separation board. The board normally consists of three people; two officers and one senior enlisted member. The board's job is to decide whether you should be separated,

and if so, with what kind of discharge. The board then makes a recommendation to the Separation Authority. The Separation Authority makes the final decision, but cannot do anything less favorable than what the board recommends.

### TDS CONTACT INFORMATION

Area I 315-730-2433	Area II 315-738-4485	Area III 315-753-3890	Area IV 315-763-4428
*Torii Station: 315-763-4428		**Camp Zama: 315-738-4485	
NOTE: This handout is intended to provide basic information only. <b><u>Nothing in this handout should be considered legal advice.</u></b> Current as of 18 Aug 17.			
*TDS does not have a physical in Japan. The USAR-J Military Justice Office will arrange for you to speak with the USAG Yongsan Branch Office in Korea telephonically. Do not discuss anything about your case with any personnel in the Military Justice Office.			
**TDS does not have a physical office in Japan. The 10th RSG Military Justice Office will arrange for you to speak with the Camp Henry Branch Office in Korea telephonically. Do not discuss anything about your case with any personnel in the Military Justice Office.			
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